

REMARKS

Claims 1, 3, 4, 6, 7 and 28 are pending.

For the following reasons, reconsideration is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §103:

On page 3, item 4 of the Office Action, claims 1, 4, 6, and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yeates et al. (U.S. Patent 5,644,782), in view of Kullick et al. (U.S. Patent 5,751,997). The rejection is respectfully traversed.

It is respectfully submitted that none of Yeates, Kullick, or their combination, disclose or suggest a database updating apparatus comprising a user computer arranged to access the server, via the network, and to retrieve the database-related information, wherein the user computer comprises an optical disc recording/reproducing apparatus, and is configured to: record modified/updated data for initial data of the database on the optical disc, wherein the initial data of the database is recorded in a read-only region of the optical disc prior to a first access of the server by the user computer, and the modified/updated data for the initial data of the database transmitted from the server is recorded in a recordable region of the optical disc, as recited in claim 1.

Also, it is respectfully submitted that none of Yeates, Kullick, or their combination, disclose or suggest, a method of updating a database comprising permitting a user computer usable with an optical disc, on which a vendor database is recorded in a read-only region of the optical disc, to access a server of the database vendor, via a network, and recording the modified/updated data in the recordable region of the optical disc, as recited in claim 4.

Also, it is respectfully submitted that none of Yeates, Kullick, or their combination, disclose or suggest, a method of distributing and maintaining a database, the method comprising distributing an optical disc having a read-only region in which a data base corresponding to a first date and time is recorded and a recordable region in which the first date and time is recorded, and storing the update data in the recordable region of the optical disc, as recited in claim 28.

Rather than an optical disc with an initial data in a read-only region of the optical disc and

updated data in a recordable region of the optical disc, Yeates discloses a data storage system 270 of a data client 110 (a display-oriented computing device) that is included in an information system 100 (see, col. 2, lines 5-17, and FIGS. 1 and 2 of Yeates). The data client 110 is implemented as a data client 200 and includes the data storage system 270 provided with a read-only memory device 274, and a read-write auxiliary memory device 276 (see, col. 2, lines 31-33, 48-50, and FIG. 2 of Yeates). The read-only memory device 274 is a write-protected media or a section thereof, such as a CD-ROM disk or system, an electrically erasable programmable read-only memory (EEPROM), or the like (see, col. 2, lines 53-56, and FIG. 3 of Yeates). The read-only memory device 274 contains primary data which are disclosed as relatively static-type information (see, col. 2, lines 56-63 of Yeates). The read-write auxiliary memory device 276 is a computer hard disk and stores supplementary data reflecting updates to the primary data (see, col. 2, lines 63-64, and col. 3, lines 17-20 of Yeates).

As shown in FIG. 3 of Yeates, the read-only memory device 274 is a CD-ROM device that includes multiple removable CD-ROM disks 311-314 (see, col. 3, lines 14-17 of Yeates). The read-write auxiliary memory device 276 is a computer hard disk having a number of selectable storage areas 321-324 (see, col. 3, lines 17-19 of Yeates). Yeates discloses that the number of storage areas 321-324 each corresponds to the removable CD-ROM 311-314 and contains supplementary data reflecting updates to the primary data on that CD-ROM 311-314 (see, col. 3, lines 20-22 of Yeates). In fact, each storage area 321-324 of the read-write auxiliary memory device 276 (the computer hard disk) has an identifier which uniquely identifies the removable CD-ROM 311-314 such that the supplementary data can be readily associated with a particular CD-ROM 311-314 (see, col. 3, lines 22-25 of Yeates).

As described in Yeates, the primary data is recorded on a read-only CD-ROM, and any updates that correspond to the primary data are recorded in a read-write computer hard disk. In other words, the primary data and the update data are not recorded in one optical disc.

In addition, although it is stated in the Office Action that the "recordable region" corresponds to the read-write auxiliary memory device 276, however, Yeates specifically discloses that the read-write auxiliary memory device 276 is a computer hard disk, which is not an optical disc. Accordingly, it is unreasonable to equate the computer hard disk (read-write auxiliary memory device 276) of Yeates as a "recordable region" of an optical disc because the computer hard disk of Yeates is not an optical disc or a region thereof.

Further, Kullick, as a secondary reference, fails to overcome the deficiency of Yeates in order to arrive at Applicants' claims 1, 4, and 28. This is because Kullick only discloses an

optical disk unit 19b without specifying whether the optical disk unit 19b contains a read-only region containing initial data, and a recordable region containing modified/updated data for the initial data.

Accordingly, because Yeates, Kullick, or their combination fails to disclose or suggest an initial data in a read-only region of the optical disc and updated data in a recordable region of the optical disc, claims 1, 4, and 28 are patentably distinguishable over the applied references, or their combination. Claim 6, which depend from claim 6, are likewise patentably distinguishable over the applied reference to Yeates, Kullick, or their combination for at least the reasons discussed above, and for the additional features they recite. Withdrawal of the rejection is respectfully requested.

On page 7, item 5 of the Office Action, claims 3 and 7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yeates, in view of Kullick, in further view of Alloul et al. (U.S. Patent 6,032,130). The rejection is respectfully traversed.

As discussed above, Yeates, in view of Kullick, fails to disclose or suggest each and every feature of claims 1 and 4, from which claims 3 and 7 respectively depend. As Alloul is directed to a CD-ROM (see Abstract, for example), which is not recordable, Alloul fails to overcome the deficiencies in Yeates, Kullick, or their combination. Accordingly, claims 3 and 7 are patentably distinguishable over the applied reference to Yeates, Kullick, Alloul, or their combination for at least their dependence from their respective independent claims, and for the additional features they recite. Withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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